



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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JOHN F. KRATTLI
County Counsel

July 30, 2013 **ADOPTED**

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#14 of JULY 30, 2013

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The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Agenda No. 3
04/23/13

Re: **PROJECT NUMBER R2006-00533-(4)**
CONDITIONAL USE PERMIT NUMBER 2011-00147-(4)
FOURTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing on the above-referenced permit to authorize the construction, operation, and maintenance of an automatic car wash on a 15,979-square-foot parcel located at 15003 Mulberry Drive within the unincorporated community of South Whittier. At the conclusion of the hearing, your Board indicated an intent to approve the permit and instructed our office to prepare findings and conditions for your consideration. Enclosed are findings and conditions for your consideration.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By *Patricia Keane*
PATRICIA KEANE
Senior Deputy County Counsel

APPROVED AND RELEASED:

Richard D. Weiss
RICHARD D. WEISS
Chief Deputy

PK:vn
Enclosures

c: William T Fujioka, Chief Executive Officer
Sachi A. Hamai, Executive Officer, Board of Supervisors

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NUMBER R2006-00533-(4)
CONDITIONAL USE PERMIT NUMBER 2011-00147-(4)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 2011-00147-(4) ("CUP") and Zone Change No. 2012-00002-(4) ("Zone Change") on April 23, 2013. The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP and Zone Change on January 9, 2013.
2. The permittee, Hossein Rash ("permittee"), requests the CUP and the related Zone Change to authorize the construction, operation, and maintenance of a self-serve automatic car wash ("Project") on a 15,979-square-foot corner lot located at 15003 Mulberry Drive in the unincorporated community of South Whittier within the Southeast Whittier Zoned District ("Project site").
3. The CUP is a request to implement a development program for the Project, which is required for all projects that include zone changes with a corresponding Development Program (-DP) overlay zone, pursuant to section 22.40.030 of Title 22 of the Los Angeles County Code ("County Code"). The Development Program is designed to ensure that all development on the subject property conforms to those plans that are submitted during the rezoning process when such plans are a critical factor in the decision to rezone. Any future changes to the use of the property, other than those specifically allowed in the development program, would require a new CUP.
4. The Zone Change is a related request to rezone the Project site from CPD (Commercial Planned Development), which does not permit self-serve automatic car washes, to C-3-DP (Unlimited Commercial – Development Program), which allows self-serve automatic car washes subject to a CUP for implementation of the development program.
5. The CUP for purposes of the self-serve automatic car wash will not become effective until the proposed Zone Change is adopted by the Board and becomes effective.
6. Vehicular access to the Project site is provided from La Mirada Boulevard by a 30-foot-wide driveway located approximately 54 feet north of Mulberry Drive on the west side of the Project site.
7. The Project site is rectangular in shape with level terrain, and covered with dirt and gravel. The Project site is located within an urbanized area surrounded by developed land in all directions. The Project site is currently vacant.

8. The permittee's approved site plan, labeled Exhibit "A" and on file with the County Department of Regional Planning ("Regional Planning"), depicts a 29-foot-tall, 2,371-square-foot commercial building that consists of a car wash tunnel, a car wash equipment room, an office, and a restroom on the Project site. There are two kiosks placed by the entrance of the car wash tunnel containing equipment to be used by drive-through customers. The approved Exhibit "A" for the Project depicts a total of 10 parking spaces, which include nine standard parking spaces and one disabled parking space. A total of nine parking spaces are required by the County Code, therefore, the permittee is providing more than the required parking. The approved Exhibit "A" also depicts a total of six vacuum locations that serve the 10 parking spaces provided. Customers enter and exit the site through a driveway off of La Mirada Boulevard. The driveway is located approximately 54 feet north of the intersection of Mulberry Drive and La Mirada Boulevard. The majority of the 2,225 square feet of landscaping provided is on the perimeter of the Project site and covers approximately 14 percent of the parcel. The car wash equipment includes a 1,500-gallon clarifier and utilizes an on-site reclaimed water system. There will be eight ornamental outdoor light fixtures located on the exterior of the building.
9. The Project site is currently designated Low-Density Residential – 1 to 6 dwelling units per acre on the Los Angeles Countywide General Plan ("General Plan") Land Use Map. Within the generalized residential areas mapped, a variety of use types and intensities presently exist, and include those that are often incidental to residential uses and provide convenient services to residential communities. Such uses typically include local commercial services, schools, churches, local parks, and other community-serving public facilities. The automatic car wash is intended to serve the surrounding neighborhood and provides a convenience to those in the area. This type of use is often incidental to residential communities and, therefore, is consistent with the types of uses contemplated for areas designated and developed as low-density residential communities.
10. The surrounding properties within a 500-foot radius of the Project site are zoned as follows:
- North: CPD;
South: C-1 (Restricted Business);
East: CPD; and
West: C-2-BE (Neighborhood Business – Billboard Exclusion).
11. Surrounding land uses within a 500-foot radius of the Project site are as follows:
- North: A retail strip mall and single-family residences;
South: A retail strip mall, single-family residences, and multi-family residences;
East: A supermarket and single-family residences; and
West: A vacant lot, a retail strip mall, and single-family residences.

12. Two previous zoning cases were approved for the Project site. Zone Change No. 5312-(1) was approved on March 26, 1968, to rezone the property from R-A-6000 (Residential Agricultural – 6,000 Square Feet Minimum Required Lot Area) to CPD. CUP No. R2006-00533-(4) authorized a car wash facility with incidental retail sales. The CUP was unused and expired on January 10, 2010.
13. Prior to the Commission's public hearing, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act ("CEQA"). Based on the Initial Study, staff from Regional Planning determined that a Negative Declaration was the appropriate environmental document for the Project because the Initial Study concluded that there was no substantial evidence that the Project would result in a significant impact on the environment.
14. A duly-noticed public hearing was held on January 9, 2013, before the Commission. Regional Planning staff presented the Project, and explained that the County Fire Department ("Fire Department") had an outstanding hold on the Project pending completion of tests to confirm the adequacy of fire flow available to the Project site. Staff further explained that minor changes to the findings and conditions of approval for the Project were required. Representatives of the permittee, Sean Nourani and Chuck Persekian, publicly testified in favor of the Project and spoke about the effects of the equipment and products that will be used in the operations. The Commission closed the public hearing and recommended approval of the Zone Change to the Board. After considering the fire flow hold and consulting with Fire Department staff, the Commission approved the CUP with a condition requiring Fire Department approval of fire flow availability prior to use of the CUP and further requiring the permittee to implement any improvements determined necessary pursuant to the fire flow availability report.
15. Pursuant to section 22.60.230(B)(2) of the County Code, because the Project approvals included a recommendation by the Commission to the Board on the Zone Change, the CUP was called up for review by the Board concurrently with the requested Zone Change.
16. On April 23, 2013, the Board conducted a duly-noticed public hearing on the Project. The Board heard a presentation from Regional Planning staff. Sharif Juma, representing the permittee, and a member of the public addressed the Board.
17. The Board finds that with the requested Zone Change of the Project site from CPD to C-3-DP, a CUP is required in order to establish and implement a development program for the Project.

18. The Board finds that the Project is consistent with the goals and policies of the General Plan. The Project provides a service that is incidental to neighborhood-serving commercial uses and is consistent with the types of uses that are located in the surrounding area.
19. The Board finds that the Project is consistent with the surrounding area in the unincorporated community of South Whittier. The exterior appearance of the proposed car wash is consistent with similar buildings in the surrounding neighborhood and in keeping with the character of the area.
20. The Board finds that the Project is consistent with the development standards of the proposed C-3 zone and the requirements of the –DP zones, as set forth in section 22.28.220 and Chapter 22.40, Part 2, of the County Code.
21. The Board finds that the Project is in compliance with the lot coverage and landscaping requirements set forth in the County Code. Section 22.28.220.A of the County Code requires that not more than 90 percent of the net area be occupied by buildings, and that a minimum of 10 percent of the net area be landscaped with a lawn, shrubbery, flowers, and/or trees, which shall be continuously maintained in good condition. The permittee's site plan depicts approximately 15 percent of the net area of the property occupied by one building with landscaping covering up to 14 percent of the Project site.
22. The Board finds that the Project is in compliance with the parking requirements set forth in the County Code. Section 22.52.1100 of the County Code requires one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure used for commercial purposes. The total square footage of the floor area is 2,366 square feet, which requires a total of nine parking spaces. One parking space for disabled persons is also required. The proposed site plan depicts nine standard parking spaces and one disabled parking space, for a total of 10 parking spaces, which exceeds the amount required by the County Code.
23. The Board finds that the Project is in compliance with outdoor display and storage requirements in the County Code. Section 22.28.220.C and D of the County Code require that all displays shall be located entirely within an enclosed building, with certain exceptions, unless otherwise authorized by a temporary use permit, and outside storage is permitted on the rear of a lot or parcel of land when such storage is strictly incidental to the permitted use. No outside display or storage is proposed or authorized as part of the Project.
24. The Board finds that the Project complies with the sign requirements in the County Code. Pursuant to section 22.52.870, business signs are permitted in the C-3 zone, subject to the restrictions outlined in sections 22.52.880 – 22.52.920. No new business signs are proposed by the permittee at this time. Any new signs will be subject to the signage provisions of the County Code.

25. The Board finds that the permittee has submitted a development program, consisting of a site plan and progress schedule that complies with the requirements of section 22.40.050 of the County Code.
26. The Board finds that the development program provides the necessary safeguards to ensure completion of the proposed development by the permittee and that the development program ensures that the Project will not be replaced by a lesser type of development contrary to public convenience, welfare, or development needs of the area.
27. The Board finds that the Project is consistent with the surrounding area in the unincorporated community of South Whittier. The project will provide a service that will be used by residents living in the surrounding area.
28. The Board finds that the Project on the Project site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare. The Project is sufficiently buffered from neighboring uses and the hours of operation for the self-serve automatic car wash will be limited to ensure that such use will be compatible with nearby residential and commercial uses. The proposed hours of operation for the car wash will be 8:00 a.m. to 6:00 p.m., seven days a week.
29. The Board finds that the Project site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area. The Project complies with all the development standards applicable to the underlying zoning.
30. The Board finds that the Project site is adequately served by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and is adequately served by other public or private service facilities as are required.
31. The Board finds that to ensure continued compatibility between the Project and surrounding land uses, it is necessary to limit the term of the grant to 20 years.
32. The Board finds that compatibility with the surrounding land uses will be ensured through the Zone Change and the CUP.
33. The Board finds that pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and libraries located in the vicinity of the South Whittier community. On

November 26, 2012, a total of 88 Notices of Public Hearing were mailed to all property owners as identified on the current Assessor's record within a 500-foot radius from the Project site, as well as to those on the courtesy mailing list for the Southeast Whittier Zoned District, and to any additional interested parties.

34. The Board finds that the Negative Declaration for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Board finds on the basis of the whole record before it, including any comments received during the public review process, that there is no substantial evidence the Project will have a significant effect on the environment and that the Negative Declaration reflects the independent judgment and analysis of the Board.
35. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. The proposed use with the attached conditions is consistent with the adopted General Plan.
- B. With the attached conditions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare.
- C. The Project site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The Project site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and is adequately served by other public or private service facilities as are required.
- E. The development program, as approved through the CUP, provides necessary safeguards to ensure completion of the Project by the permittee and to forestall the substitution of a lesser type of development contrary to the public convenience, welfare, or development needs of the area.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Certifies that the Negative Declaration was completed in compliance with the CEQA and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the Negative Declaration and that it reflects the independent judgment and analysis of the Board as to the environmental consequences of the Project; and finds that on the basis of the whole record before the Board that there is no substantial evidence the Project will have a significant effect on the environment;
2. Certifies that it adopted the Negative Declaration at the conclusion of the public hearing on the Project; and
3. Approves Conditional Use Permit No. 2011-00147-(4) subject to the attached conditions.

CONDITIONS OF APPROVAL
PROJECT NUMBER R2006-00533-(4)
CONDITIONAL USE PERMIT NUMBER 2011-00147-(4)

1. This grant authorizes the establishment and implementation of a development program to authorize the construction, operation, and maintenance of an automatic car wash facility in connection with a zone change from CPD (Commercial Planned Development) to C-3-DP (Unlimited Commercial – Development Program), subject to the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 10, and until all required monies have been paid pursuant to Condition Nos. 12 and 14. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 6, 7, 8, and 14 shall be effective immediately upon the date of final approval of this grant by the County.
4. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to section 22.60.260 of the County Code.
5. Approval of this grant for the purposes of the construction, operation, and maintenance of the automatic car wash facility shall not become effective until Zone Change No. 2012-00002-(4) ("Zone Change") is approved by the County Board of Supervisors ("Board") and the Zone Change becomes effective.
6. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall notify the permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
7. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of \$5,000, from which actual costs

and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with section 2.170.010 of the County Code.

8. This grant shall expire unless used within two years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fees prior to such expiration date.
9. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
10. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
11. This grant shall terminate on the date that is 20 years from the date of final approval of this grant. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning prior to the expiration of this permit, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six months prior to the expiration date of this grant and shall be accompanied by the required fees. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.

12. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file at Regional Planning. The permittee shall deposit with the County the sum of \$2,000. This deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 10 biennial (one every other year) inspections. Inspections shall be unannounced.
13. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required.
14. Within three days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination ("NOD") for the project and its entitlements in compliance with section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently \$2,231.25 (which includes \$2,156.25 for a Negative Declaration plus a \$75 processing fee). No land use project subject to this requirement is final, vested, or operative until the fee is paid.
15. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code. In the event that the County deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the permittee shall compensate the County for all costs incurred in such proceedings.

16. All development pursuant to this grant must be kept in full compliance with the requirements of the County Department of Public Works ("Public Works"), the County Fire Department ("Fire Department"), and the County Department of Public Health ("Public Health").
17. The permittee shall obtain Fire Department approval of the fire flow availability report prior to this grant becoming effective. The approved fire flow availability report will be used to determine the location of a new public fire hydrant or other improvements that may be required by the Fire Department to ensure adequate fire safety. The permittee shall comply with all recommendations and/or requirements of the Fire Department in connection with the fire flow availability report to the satisfaction of said department. All development pursuant to this grant shall also be kept in full compliance with all other applicable provisions of the Fire Code. Notwithstanding anything in this grant to the contrary, if Fire Department clearance is not obtained, this grant shall not be considered effective and cannot be used.
18. The permittee shall comply with all conditions and requirements contained in the Public Health letter dated November 2, 2012, attached hereto and incorporated herein by reference, except as otherwise required by said department.
19. The permittee shall comply with all conditions and requirements contained in the Public Works letter dated November 7, 2012, attached hereto and incorporated herein by reference, except as otherwise required by said department.
20. The permittee shall comply with all conditions and requirements contained in the Fire Department letter dated February 6, 2013, attached hereto and incorporated herein by reference, except as otherwise required by said department.
21. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning.
22. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
23. Except for seasonal decorations or signage provided by or for a civic non-profit organization, all structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that do not directly relate to the use of the property or provide pertinent information about said premises. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such markings becoming visible, weather permitting. Paint utilized in

covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

24. The subject property shall be developed and maintained in substantial compliance with the approved plans on file at Regional Planning marked Exhibit "A." If changes to the site plan were required as a result of instruction given at the public hearing, a revised Exhibit "A" shall be submitted to Regional Planning within 60 days of the date of final approval of the CUP. In the event that subsequent plans are submitted, the written authorization of the property owner is required.

PERMIT SPECIFIC CONDITIONS

25. The project shall be developed consistent with the approved Development Program, including the progress schedule, which includes the phases of development and the sequence and time period within which the improvements described will be made as a requirement of the Development Program zone. The Development Program Progress Schedule dated December 18, 2012, is on file at Regional Planning.
26. Except as otherwise shown in the approved Development Program, the following conditions apply:
 - A. No building or structure of any kind except a temporary structure used only in the developing of the property according to the program shall be built, erected, or moved onto any part of the property.
 - B. No existing building or structure which under the program is to be demolished shall be used.
 - C. No existing building or structure which, under the program, is to be altered shall be used until such building or structure has been so altered.
 - D. All improvements shall be completed prior to the occupancy of any structures.
 - E. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.
27. Where specifically indicated in the approved Development Program, the development of the project may be completed in phases.

PROJECT SITE SPECIFIC CONDITIONS

28. This grant shall authorize the establishment and implementation of a development program to authorize the construction, operation, and maintenance of an automatic car wash facility in the C-3-DP zone.
29. The hours of operation for the automatic car wash facility and dryer unit shall be limited to 8:00 a.m. to 6:00 p.m., Monday through Sunday.
30. As shown on the approved plan on file with Regional Planning and marked Exhibit "A," the permittee shall provide and continuously maintain the minimum number of on-site automobile parking spaces required pursuant to the County Code, one of which shall be disabled accessible. The parking spaces shall be developed to the specifications provided in section 22.52.1060 of the County Code. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage or automobile repair. Although the approved Exhibit "A" shows a total of 10 parking spaces, only 9 spaces are required pursuant to the County Code.
31. Within 60 days of the date of final approval of this grant, the permittee shall submit a Revised Exhibit "A" depicting the minimum nine required parking spaces.
32. The permittee shall continuously display in public view the Material Safety and Data Sheet for the products used in the operation of the automatic car wash facility.
33. The permittee shall maintain a three-foot-high, heavily view obscuring, landscaped hedge along the east and north property lines. A variety of plantings may be maintained to provide the obscuring hedge. It is the intent of this condition to obscure views of the subject property from neighboring properties and to provide an attractive landscaped buffer between properties.
34. The permittee shall submit a detailed landscaping and irrigation plan, reflecting the three-foot-high landscaped hedge and a minimum of approximately 2,225 square feet (14 percent) of landscaping on the property. All landscaping indicated on the approved Exhibit "A" (approximately 2,225 square feet) shall be continuously maintained. The permittee shall maintain all landscaping in a neat, clean, and healthy condition, including proper pruning, weeding, litter removal, fertilizing, watering, and replacing dead or unhealthy plants when necessary.
35. The project shall comply with Title 12, Chapter 12.08 of the County Code ("Noise Ordinance") by limiting the noise generated by the project, including noise generated by forced-air blowers in the car wash tunnel, as required by said Noise Ordinance.
36. The forced-air blower equipment shall be properly installed according to manufacturer guidelines to reduce or limit noise generated during operation of

said equipment, including the installation of a silencing package, to the satisfaction of Public Health. The building where the forced-air blowers are installed shall be designed and operated so as not to amplify any noise generated by such forced-air blowers or other car wash operations. The operation of the forced-air blowers shall be in compliance with the requirements of section 12.08.450 of the Noise Ordinance, which limits noise generated to 60 decibels at the nearest residential property boundary.

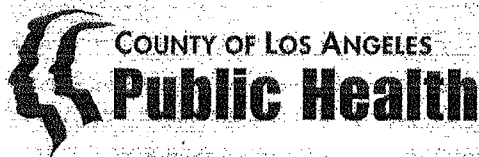
37. Vacuum motors to be used shall be insulated or fully enclosed so as to reduce noise generated, and such vacuum motors and vacuum equipment shall be operated and maintained so as to comply with all applicable requirements of the Noise Ordinance.
38. Any other equipment, including dust blowers, shall be operated so as to reduce the noise generated, and such equipment shall be operated and maintained so as to comply with all applicable requirements of the Noise Ordinance.
39. Where glass is used, the permittee shall install clear or lightly tinted glass for the building. Mirrored, highly reflective glass, or densely tinted glass shall not be used except as a minor architectural or minor decorative accent totaling no more than 20 percent of the building façade.
40. All signage shall be approved through a separate Revised Exhibit "A" prior to installation of such signage, and all signage shall be consistent with the requirements of the County Code unless a separate modification of the County Code is first obtained.

Attachments:

Public Health Department letter dated November 2, 2012

Public Works Department letter dated November 7, 2012

Fire Department letter dated February 6, 2013



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

JACQUELINE TAYLOR, REHS
Director of Environmental Protection Bureau

PATRICK NEJADIAN, REHS
Chief EHS, Land Use Program

KEN HABARADAS, M.S., REHS
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Land Use Program
5050 Commerce Drive
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BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

November 2, 2012

TO: Iris Chi
Zoning Permits North Section
Department of Regional Planning

FROM: Ken Habaradas, M.S., REHS
Environmental Health Division
Department of Public Health

SUBJECT: PERMIT CONSULTATION *K Habaradas*
PROJECT NO. R2006-00533 / CUP 201100147
15045 E. MULBERRY DRIVE, WHITTIER

- ☒ Environmental Health recommends approval of this CUP.
- ☐ Environmental Health does NOT recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the information provided regarding a CUP to authorize an automatic carwash facility in a C-3-DP zone. We recommend the following conditions upon approval of the CUP:

1. The project shall comply with the requirements of the Los Angeles County Noise Control Ordinance as found in the Title 12 of the Los Angeles County Code. The project shall implement the noise control measures specified in Condition No. 22 of the previously approved permit (CUP 200600031) to reduce the noise generated by the project. For questions regarding noise, please contact Robert Vasquez at (213) 738-4596.
2. The use of reclaimed water must meet the requirements of Title 22 of the California Code of regulations and other requirements established by the California Department of Public Health and this Department. Prior to installation of the onsite reclaimed water system, two sets of plans, along with a completed application and fee, must be submitted to the Environmental Health's Cross Connection Program for review and approval. For questions regarding reclaimed water, please contact Carlos Borja at (626) 430-5295.

For any other questions, please feel free to contact me at (626) 430-5382.



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 7, 2012

IN REPLY PLEASE

REFER TO FILE: LD-1

TO: Susan Tae
Zoning Permits North Section
Department of Regional Planning

Attention Iris Chi

FROM: Steve Burger *Steve Burger*
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201100147
PROJECT NO. R2006-00533
15003 MULBERRY DRIVE
ASSESSOR'S MAP BOOK 8226, PAGE 15, PARCEL NO. 23
UNINCORPORATED COUNTY AREA OF SOUTH WHITTIER

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

We reviewed the revised site plan dated September 4, 2012, for CUP No. 201100147 in the unincorporated County area of South Whittier. The project is to authorize the new construction of a 2,457-square-foot car wash building with one restroom and office space.

Upon approval of the site plan, we recommend the following conditions:

1. Road

- 1.1 Dedicate an adequate right of way for a corner cut-off (beginning of curb return [BCR] to end of curb return [ECR]) based on a curb return radius of 35 feet, a full parkway width, and a minimum 15 foot radial distance from the curb face at the northeast corner of La Mirada Boulevard and Mulberry Drive (northeast corner) to meet current Americans with Disabilities Act (ADA) guidelines and to the satisfaction of Public Works. A fee will be required for the review of the dedication documents.

- 1.2 Reconstruct the existing curb ramp at the intersection of La Mirada Boulevard and Mulberry Drive (northeast corner) to comply with current ADA guidelines and to the satisfaction of Public Works. Relocate any affected utilities including traffic signal equipment which would require a separate traffic signal plan.
- 1.3 Construct driveway approaches at the site to comply with current ADA guidelines and to the satisfaction of Public Works. Relocate any affected utilities.
- 1.4 Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on La Mirada Boulevard and Mulberry Drive to the satisfaction of Public Works.
- 1.5 Replace any displaced/broken sidewalk along the property frontage on La Mirada Boulevard and Mulberry Drive to the satisfaction of Public Works.
- 1.6 Construct drainage devices (parkway drains/curb drains) at the site and execute a drainage covenant for the maintenance of said devices to the satisfaction of Public Works.
- 1.7 Plant street trees on La Mirada Boulevard and Mulberry Drive along the property frontage. Existing trees in the right of way shall be removed and replaced if not acceptable as street trees.
- 1.8 Repair any damaged improvements during construction to the satisfaction of Public Works.
- 1.9 Submit street improvement plans and acquire street plan approval or direct check status before obtaining grading permit.
- 1.10 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Matthew Dubiel at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

2. Street Lighting

- 2.1 Provide street lights on concrete poles with underground wiring along the property frontage on Mulberry Drive and La Mirada Boulevard to the satisfaction of Public Works. Submit street lighting plans along with existing and/or proposed underground utility plans as soon as possible to Public Works' Traffic and Lighting Division, Street Lighting Section, to allow the maximum time for processing and approval.
- 2.2 The applicant shall comply with the conditions of acceptance listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights. It is the sole responsibility of the owner of the project to have all street lighting plans approved prior to the issuance of a building permit or road improvements permits, whichever occurs first. The required street lighting improvements shall be the sole responsibility of the owner of the project, and the installation must be accepted by the Lighting District, per approved plans, prior to issuance of a Certificate of Occupancy.

Conditions of Acceptance for Street Light Transfer of Billing:

All street lights in the project, or the approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year provided all street lights in the project, or approved project phase, have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met. The lighting district cannot pay for the operation and maintenance of street lights within gated communities.

For questions regarding the street lighting conditions, please contact Arnel Dulay at (626) 300-4754 or adulay@dpw.lacounty.gov.

3. Grading

- 3.1 Submit a drainage plan to Public Works for approval. The drainage plans must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, and the Standard Urban Stormwater Mitigation Plan (SUSMP) devices, if applicable. The applicant is required to show and call out all existing easements on the drainage plan and obtain the easement holder(s) approvals.
- 3.2 A maintenance agreement may be required prior to drainage plan approval for privately maintained drainage devices including any onsite SUSMP devices.
- 3.3 Obtain Public Works, Geotechnical and Materials Engineering Division's soil/geology approval (if applicable) of the grading plan.
- 3.4 Obtain and submit any jurisdictional permits (if required).
- 3.5 Obtain and submit drainage acceptance letters (if applicable) from all impacted offsite owners.

For questions regarding the grading conditions, please contact Matthew Dubiel at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

4. Drainage

- 4.1 Prior to issuance of a building permit, plans must be approved to provide for the proper distribution of drainage and for contributory drainage from adjoining properties; to eliminate the sheet overflow and ponding; and to comply with National Pollutant Discharge Elimination System, Stormwater Management Plan, and SUSMP requirements.
- 4.2 Per Los Angeles County Code Section 12.84.440, comply with Low-Impact Development (LID) standards in accordance with the LID development Standards Manual, which can be found at [http://dpw.lacounty.gov/wmd/LA County LID Manual.pdf](http://dpw.lacounty.gov/wmd/LA%20County%20LID%20Manual.pdf).

For questions regarding the drainage conditions, please contact Christopher Sheppard at (626) 458-4921 or csheppard@dpw.lacounty.gov.

Susan Tae
November 7, 2012
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5. Sewer

- 5.1 Secure a sewer lateral connection permit and pay all applicable fees to the satisfaction of the County of Los Angeles Sanitation Districts. Should the applicant request to connect to County of Los Angeles, Department of Public Works Sewer Maintenance District Sanitary Sewer, the applicant will be required to submit a sewer area study to determine if capacity is available in the sewage system servicing this project prior to submitting plans for the extension of the sewer.

For questions regarding the sewer condition, please contact Jae Kim at (626) 458-4921 or jakim@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or rcruz@dpw.lacounty.gov.

no *RC* JY:tb



COUNTY OF LOS ANGELES FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

DATE: February 6, 2013

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2006-00533

LOCATION: 15003 Mulberry Dr.

- ☐ The Fire Department has no additional requirements for this permit.
- ☒ The required fire flow for this development is 1500 gallons per minute for 2 hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- ☒ Install 1 Public and Verify Public 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- ☒ Comments: The Fire Department recommends approval of this permit as presently submitted with the conditions of approval specified in the Special Requirements section below.
- ☒ Water: - Per the fire flow test performed by Suburban Water Systems dated 01-18-13, the existing public fire hydrants exceeds the required spacing for this development. The existing water supply is adequate.
- Install a new public fire hydrant on eastside of La Mirada Blvd near the intersection of Mulberry Dr.
Submit extra copies of the site plan to accurately locate the required fire hydrant location as shown on the site plan filed in our office.
- ☒ Access: Access is adequate as shown on the site plan.
- ☒ Special Requirements: The required new public fire hydrant shall be installed and tested or bonded for prior to building permit issuance. Submit verification along with construction plans to the Fire Department Building Plan Check office for review and approval prior to building permit issuance.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office @ (323) 890-4243.

Inspector: Juan C. Padilla

Co.CUP 04/04

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783

EXECUTIVE OFFICE – BOARD OF SUPERVISORS

AGENDA ENTRY

| | |
|---|---|
| DATE OF MEETING | July 30, 2013 |
| DEPARTMENT NAME: | COUNTY COUNSEL |
| BOARD LETTERHEAD: | COUNTY COUNSEL |
| SUPERVISORIAL DISTRICT AFFECTED: | FOURTH |
| VOTES REQUIRED: | 3 |
| CHIEF INFORMATION OFFICER'S RECOMMENDATION: | <input type="checkbox"/> APPROVE <input type="checkbox"/> APPROVE WITH MODIFICATION <input type="checkbox"/> DISAPPROVE |

****** ENTRY MUST BE IN MICROSOFT WORD ******

Instructions: To comply with the Brown Act requirement, the reader should fully understand what the department is asking the Board to approve. The recommendation must describe what the action is for, with whom the action is being taken, fiscal impact, including money amounts, funding sources and effective dates. Also, include an instruction for the Chair(man) or Director to sign when such signature is required on a document.

Recommendation: Adopt findings, conditions, and order for approval of Project No. R2006-00533-(4), which consists of Conditional Use Permit Number 2011-00147-(4); and Zone Change No. 2012-00002-(4), to authorize the construction, operation, and maintenance of an automatic car wash on a 15,979-square-foot parcel located at 15003 Mulberry Drive within the unincorporated community of South Whittier, applied for by Hossein Rash. (On April 23, 2013, the Board found no substantial evidence that this project will have a significant effect on the environment, adopted the negative declaration prepared for the project pursuant to the California Environmental Quality Act, and indicated its intent to approve the project) (County Counsel.) (Relates to Agenda No.____)